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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/922,300 09/02/97 PARK

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PM82/0225

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EXAMINER

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WASHINGTON DC 20005-1202

MARC COLEMAN, M

ART UNIT	PAPER NUMBER
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3661

DATE MAILED:

02/25/00

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/922,300

Applicant(s)

Park

Examiner

Marthe Marc-coleman

Group Art Unit

3661



☒ Responsive to communication(s) filed on Jan 7, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-11 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 8-11 is/are allowed.

☒ Claim(s) 1-4 is/are rejected.

☒ Claim(s) 5-7 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

1. This office action is responsive to applicant's request for reconsideration filed on January 7, 2000.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant admitted prior art in view of Hamaguchi et. al. (U.S. Patent No. 5,430,596)

In regard to claims 1 and 4, Applicant discloses in the background of the invention:

- a pulse width modulation (PWM) controller for generating a PWM signal under the control of the microcomputer;
- a current amplifier for amplifying current in response to the PWM signal from the PWM controller;
- a horizontal/vertical (H/V) processor for driving a horizontal driver under the control of a microcomputer;
- the H/V processor outputs a horizontal pulse signal of square wave to the horizontal driver under the control of a microcomputer;

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- a horizontal deflection coil is mounted to the neck of a display device so that electron beams can be deflected to the left or right according to a direction of current flowing through the coil;
- an S correction capacitor applies a parabola voltage to the horizontal deflection coil to correct a linearity of center-to-left and right sides of a screen of the display device;
- a horizontal output circuit for supplying current to a horizontal deflection coil and an S-correction capacitor in response to output signals from the current amplifier and horizontal drive;
- a horizontal/vertical (H/V) processor constant voltage circuit for supplying a constant voltage to the H/V processor to drive it;

Applicant admitted prior art does not disclose a power interruption delay charging means.

Hamaguchi et al. disclose a CRT protection circuit for detecting an overcurrent or an overvoltage to a CRT to protect the CRT (see abstract and Fig. 4, and Fig. 1 circuit 16).

At the time of the invention, it would have been obvious to one skilled in the art to utilize Hamaguchi et al.'s power regulator circuitry with Applicant admitted prior art because it would protect the CRT display (see Hamaguchi et al. abstract).

In regard to claim 2, Hamaguchi et al. disclose :

- a polarity capacitor for performing charging operation and a diode connected to the polarity capacitor for preventing a voltage on the polarity capacitor from being discharged (see Fig. 1 circuit 16).

In regard to claim 3, Applicant admitted prior art discloses:

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- a power supply circuit is adapted to convert commercial alternating current (AC) into direct current (DC) (see page 2 of the background of the invention lines 1-2).
- a horizontal deflection circuit under the control of a microcomputer, receiving said direct current input voltage, for horizontally deflecting electron beams generated in the cathode ray tube (see page 2 background of the invention lines 5-8);
- a display device having a set protection function upon generation of abnormal voltage (see abstract and Fig. 4, and Fig. 6 circuit 120).
- a polarity capacitor for performing charging operation and a diode connected to the polarity capacitor for preventing a voltage on the polarity capacitor from being discharged (see Fig. 6 circuit 120).

4. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure (e.g. Leaver , Arai et al., Jackson et al., Morrish, Hamaguchi et al., Choi, Jung et al., Walker et al., Lendaro).

Allowable Subject Matter

5. Claims 8-11 are allowable because none of the references, either singularly or in combination, teach or fairly suggest:

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“ one terminal of said primary coil being connected to an output terminal of said pulse width modulation controller through a capacitor and another terminal of said primary coil being connected to the ground terminal;

said field effect transistor having a drain terminal connected to a high voltage source and a source terminal connected in common to a second terminal of said secondary coil and one other side of a pulse transformer;

said pulse transformer having a second side connected to one side of said horizontal deflection coil;”.

6. Claims 5-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

In regard to claims 5-7, none of the references, either singularly or in combination, teach or fairly suggest:

“ one terminal of said primary coil being connected to an output terminal of said pulse width modulation controller through a capacitor and another terminal of said primary coil being connected to the ground terminal;

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said field effect transistor having a drain terminal connected to a high voltage source and a source terminal connected in common to a second terminal of said secondary coil and one other side of a pulse transformer;”.

Response to Arguments

7. Applicant's arguments filed on January 7, 2000 have been fully considered but they are not persuasive.

Applicant argues that “ the Examiner has not identified where the foregoing feature of claim 1 is found in the applied art. Ex parte Levi, 17USPQ2d 1461, 1462 (1990) states : it is incumbent upon the examiner to identify wherein each and every facet of the claimed invention is disclosed in the applied reference.”.

It is important for the applicant to note that In Ex parte Levengood, 28USPQ2d, 1301, the Court stated that “Obviousness is a legal conclusion, the determination of which is a question of patent law. Motivation for combining the teachings of the various references need **not to be explicitly found in the references themselves**, In re Keller, 642 F.2d413, 208USPQ 871 (CCPA 1981). Indeed the examiner may provide an explanation based on logic and sound scientific reasoning that will support a holding of obviousness. Therefore Hamaguchi et al. does not have to explicitly said that “ gradually lowering said input voltage”. Since circuit 16 of Hamaguchi et al. is equivalent to the power interruption circuitry claimed by the applicant. The rejection is maintained.

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Applicant argues that “the examiner has not provided a prima facie explanation of how one of ordinary skilled in the art would have been motivated to utilize rectifier 16 to perform the feature of gradually lowering said input voltage and the Examiner has not identified where this aspect of the claimed invention is taught by the combined art”.

In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The rational to modify or combine the prior art does not have to be expressly stated in the prior art; the rational may be expressly or implied contained in the prior art or it may be reasoned from knowledge generally available to one of ordinary skill in the art, established scientific principles. In re Fine, 837 F.2d 1071, 5USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F. 2d 347, 21USPQ2d 1941 (Fed. Cir. 1992). See also *In re Eli Lilly & Co.*, 902 F.2d 943, 14 USPQ2d 1741 (Fed. Cir. 1990) (discussion or reliance on legal precedent); In re Nilssen, 851 F 2d 1401, 7USPQ2d 1500, 1502 (Fed. Cir. 1988) (references do not have to explicitly suggest combining teachings).

Therefore, the rejection is maintained.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc-Coleman Marthe whose telephone number is (703) 305-4970. The examiner can be reached from Monday through Friday 7:30AM to 4:00PM.

If any attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski, can be reached at (703) 308-3873

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to Group Receptionist whose telephone number is (703) 308-1111.

Any response to this action should be mailed to :

Commissioner of Patents and Trademarks

Washington, D. C. 20231

or faxed to :

(703) 308-8623, (for formal communications intended for entry)


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Hand-delivered responses should be brought to Crystal Park V, 2451 Crystal drive, Arlington. VA.,
Seventh Floor (Receptionist).

Patent Examiner

MYM

Marc-Coleman Marthe



WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

February 17, 2000